



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Fourth Account and Report of Conservator, Petition for Settlement of Account and (2) for Approval of Attorney Fees

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|---|----------------------|--|---------------------------------|
| | | LINDA DAVIS , Daughter And Conservator of the person and estate with bond of \$434,096.26, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
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| | | Account period: 1-1-12 through 12-31-13 Accounting: \$416,461.86 Beginning POH: \$397,833.74 Ending POH: \$399,466.09 (\$295,085.95 is cash) | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | W | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| ✓ | 2620(c) | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | Conservator: Fees not requested Attorney: Fees not requested Petitioner states she and her husband Richard Davis are also the successor co-trustees of the Yell Revocable Trust dated 6-28-05, along with the Conservatee's husband. The trust is outside of Court jurisdiction. Petitioner typically pays a portion of Conservatee's expenses from the conservatorship account with the remainder paid from the trust. The accounts fluctuate and will continue to fluctuate. The financial arrangement is appropriate considering Conservatee has both separate and community property. Petitioner requests that bond be increased to \$449,658.15 pursuant to computation based on assets on hand, income, cost of recovery. Petitioner requests an order: <ol style="list-style-type: none"> 1. Approving, allowing, and settling the attached account and report; 2. The Court discharge the bond of \$434,096.26 and set new bond at \$449,658.15; 3. The Court order that Conservatee is not able to complete affidavit of voter registration in accordance with Elections Code §2150 and is not entitled to vote; and 4. For such other relief as the Court considers proper. | |

Reviewed by: skc

Reviewed on: 9-5-14

Updates:

Recommendation:

File 1 – Yell

Atty Kruthers, Heather H., of County Counsel's Office (for Public Guardian)

1) Second Account Current and Report of Guardian and (2) Petition for Allowance of Compensation to Guardian and Attorney

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|-------------------------------------|----------------------|---|---|
| Age: 11 years | | PUBLIC GUARDIAN , Guardian of the Estate, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
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| | | Account period: 6/15/2012 – 6/14/2014 | Note: Court will set Status Hearing as follows: |
| | | | |
| Cont. from | | Accounting - \$49,261.66 | <ul style="list-style-type: none"> Thursday, November 10, 2016 at 9:00 a.m. in Department 303 for the filing of the second account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p> |
| <input type="checkbox"/> | Aff.Sub.Wit. | Beginning POH - \$35,480.54 | |
| <input checked="" type="checkbox"/> | Verified | Ending POH - \$45,942.26 (all cash) | |
| <input type="checkbox"/> | Inventory | Conservator - \$412.16 | |
| <input type="checkbox"/> | PTC | (2.71 Deputy hours @ \$96/hr and 2.00 Staff hours @ \$76/hr) | |
| <input type="checkbox"/> | Not.Cred. | Attorney - \$800.00 | |
| <input checked="" type="checkbox"/> | Notice of Hrg | (less than allowed per Local Rule) | |
| <input checked="" type="checkbox"/> | Aff.Mail | Bond fee - \$264.84 (o.k.) | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | Petitioner prays for an Order: <ol style="list-style-type: none"> Approving, allowing and settling the Second Account; Authorizing the guardian and attorney fees and commissions; and Payment of the bond fee. |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | Reviewed by: LEG |
| <input type="checkbox"/> | UCCJEA | | Reviewed on: 9/5/14 |
| <input type="checkbox"/> | Citation | | Updates: |
| <input type="checkbox"/> | FTB Notice | | Recommendation: |
| | | | File 2 - Estrada |

(1) First and Final Account and Report of Administrator and Petition for Settlement Thereof and (2) for Allowance of Administrator's Compensation for Ordinary Services and (3) for Allowance of Attorney Fees for Ordinary Services and for Extra-Ordinary Services and for (4) Final Distribution

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| | | | NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Order of First Amended Final Account was filed 8-12-14. |
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| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| ✓ | Inventory | | |
| ✓ | PTC | | |
| ✓ | Not.Cred. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail | W | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| ✓ | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| ✓ | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 9-3-14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 4 – Gong-Chun |

Atty Georgouses, Thomas J., of Stammer, McKnight, Barnum & Bailey (for Petitioner Christine Hays)

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Final Distribution and (3) for Allowance of Compensation to Executor and Attorneys for Ordinary Services

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|---------------|--|---|
| | | NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 9/24/2014 Per Attorney request |
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| | | |
| Cont. from | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: LEG |
| | | Reviewed on: 9/5/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 5 - Hays |

Atty Georgouses, Thomas J., of Stammer, McKnight, Barnum & Bailey (for Petitioner Christine Hays)

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Final Distribution and (3) for Allowance of Compensation to Executor and Attorneys for Ordinary Services

| | | |
|---------------|--|---|
| | | NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 9/24/2014 Per Attorney request |
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| | | |
| | | |
| Cont. from | | |
| Aff.Sub.Wit. | | |
| Verified | | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
| | | Reviewed by: LEG |
| | | Reviewed on: 9/5/14 |
| | | Updates: |
| | | Recommendation: |
| | | File 6 – Hays |

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|----------------------------------|----------------------|---|--|
| | | JENNIFER L. WALTERS , Court appointed attorney for minor, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>Continued from 6-4-14, 8-6-14. Nothing further has been filed. The following issues remain:</u> 1. <u>Need Notice of Hearing.</u> <u>This is the 3rd hearing without service.</u> 2. <u>Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460 on:</u> - Kimberly Bush (Guardian) - Devin Singleton (Minor) 3. <u>The Court may also require service of Notice of Hearing with a copy of the petition on the parents, who may be required to pay pursuant to Probate Code §1470(c):</u> - LaKeysha Singleton (Mother) - Nancy LeVan (Mother's attorney per Substitution filed 8-6-14) - Detrick Singleton (Father) 4. <u>If the parents are determined to be financially unable to pay, the Court may require application for payment at the Court rate pursuant to applicable procedure.</u> 5. <u>Petitioner requests \$122.50 for 0.5 hours spent as follows: "Enter matter into abacus." This appears to be a task secretarial in nature, which is considered by the Court to be a cost of doing business pursuant to Local Rule 7.17.B.4.</u> 6. <u>Petitioner requests \$147.00 for travel to and from court. Travel to and from court is considered to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17.B.4. (Note: This charge is <u>separate</u> from the 1.3 hours charged for attending the hearing.)</u> 7. <u>Petitioner requests \$24.50 in connection with drafting a hearing memo for the Court file on 10.7.13; however, nothing was filed thereafter by Petitioner. (Note: The declaration <u>previously</u> filed on 10-4-13 appears to be covered by a separate line item.)</u> |
| | | Petitioner was court-appointed to represent the minor on 8-22-13. | |
| Cont. from 060414, 080614 | | Guardianship was granted after Court Trial on 10-7-13. | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 9-3-14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 7A – Singleton |

Petition for Termination of Guardianship

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|---------------------------|---------------|---|---|
| | | LAKEYSHA SINGLETON , mother is petitioner. | NEEDS/PROBLEMS/COMMENTS: |
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| | | KIMBERLY ANN BUSH , maternal grandmother, was appointed guardian on 10/07/2013. Served by mail on 04/19/2014. | <u>Continued from 5-21-14, 8-6-14.</u> <u>On 5-21-14, the parties participated in mediation re visitation. The mediation agreement was filed 7-23-14 by Petitioner.</u> |
| | | | |
| Cont. from 052114, 080614 | | Father: DETRICK SINGLETON | <u>If this Petition for Termination goes forward, the following issues remain:</u> |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | Paternal grandfather: Not listed Paternal grandmother: Patricia Brown Maternal grandfather: Not listed | <ol style="list-style-type: none"> Petition is incomplete. Petitioner does not provide a reason why termination of the guardianship is in the best interest of the minor. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Detrick Singleton (Father) Paternal Grandfather (Not Listed) Patricia Brown (Paternal Grandfather) Maternal Grandfather (Not Listed) |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| ✓ | Notice of Hrg | Petitioner does not provide a reason why termination of the guardianship is in the best interest of the minor. | |
| ✓ | Aff.Mail | Court Investigator Jennifer Daniel filed a report on 05/14/2014. | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| ✓ | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: LV / skc |
| | | | Reviewed on: 9-3-14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 7B - Singleton |

Pro Per Alexander, Joseph (Pro Per Petitioner)
 Pro Per Sellers, Judith (Pro Per Petitioner)

Petition to Determine Succession to Real Property (Prob. C. 13151)

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|--|--|---|
| DOD: 4/4/2014 | JOSEPH ALEXANDER and JUDITH SELLERS, children, are Petitioners. | NEEDS/PROBLEMS/COMMENTS: Continued from 8/6/2014. Note: Attachment 9(a) to the proposed order has been interlineated to reflect the \$9,945.06 cash listed on Attachment 1 of the <i>Corrected Final Inventory and Appraisal</i> filed 8/25/2014. |
| | | |
| | 40 days since DOD | |
| Cont. from 070214, 080614 | No other proceedings | |
| <input type="checkbox"/> Aff.Sub.Wit. | | |
| <input checked="" type="checkbox"/> Verified | | |
| <input checked="" type="checkbox"/> Inventory | Corrected I & A - \$146,945.06 | |
| <input checked="" type="checkbox"/> PTC | | |
| <input type="checkbox"/> Not.Cred. | Will dated 11/30/2012 devises real property on Harvard Ave. in Clovis to JOSEPH R. ALEXANDER , the real property on Woodworth Ave. in Clovis to JUDITH M. SELLERS , and the residue of the estate to JOSEPH R. ALEXANDER and JUDITH M. SELLERS in equal shares. | |
| <input checked="" type="checkbox"/> Notice of Hrg | | |
| <input checked="" type="checkbox"/> Aff.Mail | W/ | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | Petitioners request Court determination that Decedent's 100% interest in real property located at 1121 Harvard Ave. in Clovis passes to JOSEPH R. ALEXANDER , real property on Woodworth Ave. in Clovis passes to JUDITH M. SELLERS , and Decedent's 100% interest in personal property consisting of \$9,945.06 cash, automobiles and household furnishings, passes to the Petitioners JOSEPH R. ALEXANDER and JUDITH M. SELLERS in equal shares pursuant to Decedent's Will. | |
| <input type="checkbox"/> Conf. Screen | | |
| <input type="checkbox"/> Letters | | |
| <input type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | Reviewed by: LEG |
| <input type="checkbox"/> Status Rpt | | Reviewed on: 9/5/14 |
| <input type="checkbox"/> UCCJEA | | Updates: |
| <input type="checkbox"/> Citation | | Recommendation: SUBMITTED |
| <input type="checkbox"/> FTB Notice | | File 8 - Alexander |

Atty Hazel, Donald H., sole practitioner (for Petitioner Cleonice I. Hatfield)

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

| | | | |
|--------------------------|----------------------|---|---------------------------------|
| DOD: 4/9/2012 | | <p>CLEONICE I. HATFIELD, spouse, is Petitioner.</p> <p>No other proceedings.</p> <p>Will dated 9/1/1989 devises entire estate to Decedent's spouse, Cleonice I. Hatfield.</p> <p>Petitioner states the real property was acquired by Decedent and Petitioner with community funds during their marriage and although title was originally taken as joint tenants, the Decedent and Petitioner entered into a Grant Deed on 9/1/1989 deeding the real property to themselves as husband and wife, as community property, and the deed was recorded in Fresno County on 9/6/1989.</p> <p>Petitioner requests Court determination that ½ interest in real property located in Fresno commonly known as APN 309-034-21S passes to her, and Court confirmation that ½ interest in said real property belongs to her.</p> | NEEDS/PROBLEMS/COMMENTS: |
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| Cont. from 082014 | | | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| ✓ | Will Dep. | | |
| ✓ | Notice of Hrg | | |
| ✓ | Aff.Mail W/ | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | Reviewed by: LEG Reviewed on: 9/5/14 Updates: Recommendation: SUBMITTED File 9 – Hatfield | |

Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)

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|-------------------------------------|---------------|---|---|-----|
| DOD: 05/08/2014 | | KENNETH HEARST, spouse/named executor without bond, is petitioner. Full IAEA – o.k. Will dated: 06/15/1979 Residence: Fresno Publication: The Fresno Bee Estimated value of the Estate: Personal property - \$10640.00 Real property - \$372,000.00 Total - \$382,640.00 Probate Referee: Rick Smith | NEEDS/PROBLEMS/COMMENTS: 1. #5a(7) or #5a(8) was not answered regarding issue of predeceased child. 2. Need Duties & Liabilities, Mandatory Judicial Council Form DE -147. 3. Need Confidential Supplement to Duties & Liabilities of Personal Representative, Mandatory Judicial Council Form DE-147S. 4. Copy of Will is not attached to the Petition as required. 5. The Will lists Deborah A. Hearst, however she was not listed on #8 of the petition. 6. The Will lists Lloyds Bank as an alternate Executor, however was not listed on #8 of the petition. 7. Need proof of service of the Notice of Petition to Administer Estate on: <ul style="list-style-type: none"> Deborah A. Hearst Lloyds Bank pursuant to Probate Code §8110. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, 01/07/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> Wednesday, 11/04/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required. | |
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| Cont. from | | | | |
| <input type="checkbox"/> | Aff.Sub.Wit. | | | s/p |
| <input checked="" type="checkbox"/> | Verified | | | |
| <input type="checkbox"/> | Inventory | | | |
| <input type="checkbox"/> | PTC | | | |
| <input type="checkbox"/> | Not.Cred. | | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | | |
| <input checked="" type="checkbox"/> | Aff.Mail | | | w/ |
| <input type="checkbox"/> | Aff.Pub. | | | |
| <input type="checkbox"/> | Sp.Ntc. | | | |
| <input type="checkbox"/> | Pers.Serv. | | | |
| <input type="checkbox"/> | Conf. Screen | | | |
| <input checked="" type="checkbox"/> | Letters | | | |
| <input type="checkbox"/> | Duties/Supp | x | | |
| <input type="checkbox"/> | Objections | | | |
| <input type="checkbox"/> | Video Receipt | | | |
| <input type="checkbox"/> | CI Report | | | |
| <input type="checkbox"/> | 9202 | | | |
| <input checked="" type="checkbox"/> | Order | | | |
| <input type="checkbox"/> | Aff. Posting | | | |
| <input type="checkbox"/> | Status Rpt | | | |
| <input type="checkbox"/> | UCCJEA | | | |
| <input type="checkbox"/> | Citation | | | |
| <input type="checkbox"/> | FTB Notice | | | |

Status Hearing Re: Petition for Final Distribution

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|--------------------------|---|---|
| DOD: 01/21/2010 | DOUGLAS J. GEIST , was appointed Administrator with full IAEA authority with bond set at \$400,000.00 on 05/04/2010. | NEEDS/PROBLEMS/COMMENTS: Continued from 06/20/2014 1. Need Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. |
| Cont. from 062014 | Letters issued on 05/20/2010. | |
| Aff.Sub.Wit. | Inventory and Appraisal filed on 08/06/2010 shows an estate valued at \$333,944.84 . | |
| Verified | | |
| Inventory | Order Settling First Account and Report of Personal Representative filed 07/03/2013. | |
| PTC | | |
| Not.Cred. | Minute Order of 07/03/2013 set this matter for Status Hearing. Bond reduced to \$55,000.00. | |
| Notice of Hrg | | |
| Aff.Mail | | |
| Aff.Pub. | | |
| Sp.Ntc. | | |
| Pers.Serv. | | |
| Conf. Screen | | |
| Letters | | |
| Duties/Supp | | |
| Objections | | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |
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| Reviewed by: LV |
| Reviewed on: 09/05/2014 |
| Updates: |
| Recommendation: |
| File 14 - Geist |

Atty Roberts, Gregory J., of Barrus and Roberts (for Petitioner Louis McPhederain, Conservator)

Status Hearing Re: Blocked Account

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| Age: 85 years | | LOUIS McPHERAIN , Grandson, was appointed Conservator of the Person and Estate on 8/24/2010. Ex Parte Petition for Withdrawal of Funds from Blocked Account filed 8/11/2014 requested \$200,000.00 be withdrawn from the Conservatorship estate blocked account to be deposited into a blocked savings account (which withdrawal would bring the total deposited funds within FDIC limits.) Order for Withdrawal of Funds from Blocked Account filed 8/12/2014 orders the withdrawal of the \$200,000.00 and the deposit into the blocked savings account, with receipt to be filed with the Court. Minute Order dated 7/23/2014 from the hearing on the <i>Second Account and Report of Conservator</i> set the matter for status hearing on 9/10/2014 for filing of the receipt of funds deposited into the blocked account. | NEEDS/PROBLEMS/COMMENTS: 1. Need Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356.) |
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| Cont. from | | Order for Withdrawal of Funds from Blocked Account filed 8/12/2014 orders the withdrawal of the \$200,000.00 and the deposit into the blocked savings account, with receipt to be filed with the Court. Minute Order dated 7/23/2014 from the hearing on the <i>Second Account and Report of Conservator</i> set the matter for status hearing on 9/10/2014 for filing of the receipt of funds deposited into the blocked account. | NEEDS/PROBLEMS/COMMENTS: 1. Need Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (Judicial Council form MC-356.) |
| Aff.Sub.Wit. | | | |
| Verified | | | |
| Inventory | | | |
| Blocked Rcpt | X | | |
| Not.Cred. | | | |
| Notice of Hrg | | | |
| Aff.Mail | | | |
| Aff.Pub. | | | |
| Sp.Ntc. | | | |
| Pers.Serv. | | | |
| Conf. Screen | | | |
| Letters | | | |
| Duties/Supp | | | |
| Objections | | | |
| Video Receipt | | | |
| CI Report | | | |
| 9202 | | | |
| Order | | | |
| Aff. Posting | | | |
| Status Rpt | | | |
| UCCJEA | | | |
| Citation | | | |
| FTB Notice | | | |
| | | Reviewed by: LEG | |
| | | Reviewed on: 9/5/14 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 15 - Dix | |

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|--|---------------|---|--|
| | | NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> I&A filed 8-19-14 | |
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| | Aff.Sub.Wit. | | |
| | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | | |
| | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | Reviewed by: skc | |
| | | Reviewed on: 9-3-14 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 16 – Kempf | |

Atty Marshall, Jared C., of Dowling Aaron (for Executor Julia Brungess)

Status Hearing Re: Filing of the Inventory and Appraisal

| | | |
|-----------------------|---|---------------------------------|
| DOD: 2/12/2014 | JULIA ANN BRUNGESS , Daughter, was appointed Executor with Full IAEA authority without bond on 5/7/2014. | NEEDS/PROBLEMS/COMMENTS: |
| | | |
| | | |
| | | |
| Cont. from | Letters issued on 5/7/2014. | |
| Aff.Sub.Wit. | | |
| ✓ Verified | Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was due 9/7/2014 . | |
| Inventory | | |
| PTC | | |
| Not.Cred. | | |
| Notice of Hrg | Minute Order dated 5/7/2014 from the hearing on the petition for probate set the matter for a Status Hearing on 9/10/2014 for filing of the final inventory and appraisal. | |
| Aff.Mail | | |
| Aff.Pub. | Status Report filed 9/4/2014 states: | |
| Sp.Ntc. | <ul style="list-style-type: none"> On 6/5/2014, an <i>Inventory and Appraisal</i> of the estate was submitted to Probate Referee Rick Smith for appraisal; | |
| Pers.Serv. | <ul style="list-style-type: none"> Thereafter, the Executrix discovered additional estate assets, in the form of shares of stock, which had not been included in the <i>Inventory and Appraisal</i>; | |
| Conf. Screen | <ul style="list-style-type: none"> A revised <i>Inventory and Appraisal</i> was submitted to the Probate Referee on 6/23/2014, which was completed on 7/1/2014; | |
| Letters | <ul style="list-style-type: none"> In the meantime, the Executrix discovered further additional assets, also in the form of shares of stock, which were included in a revised <i>Inventory and Appraisal</i> and submitted to the Probate Referee on 8/7/2014; | |
| Duties/Supp | <ul style="list-style-type: none"> On 8/26/2014, Attorney Marshall's office received an email from the Probate Referee requesting additional information on two of the stock assets; | |
| Objections | <ul style="list-style-type: none"> They are working with a stock broker to obtain the additional information to present to the Probate Referee so that he may complete his appraisal of the estate. | |
| Video Receipt | | |
| CI Report | | |
| 9202 | | |
| Order | | |
| Aff. Posting | | |
| ✓ Status Rpt | | |
| UCCJEA | | |
| Citation | | |
| FTB Notice | | |

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|----------------------------|
| Reviewed by: LEG |
| Reviewed on: 9/5/14 |
| Updates: |
| Recommendation: |
| File 17 - Brungess |

Atty Hemb, Richard E., sole practitioner (for Floyd Green, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

| | | |
|----------------|---------------|--|
| DOD: 2/26/2014 | | NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>Final Inventory and Appraisal</i> filed 6/11/2014. |
| | | |
| | | |
| | | |
| | | |
| Cont. from | | |
| | Aff.Sub.Wit. | |
| | Verified | |
| | Inventory | |
| | PTC | |
| | Not.Cred. | |
| | Notice of Hrg | |
| | Aff.Mail | |
| | Aff.Pub. | |
| | Sp.Ntc. | |
| | Pers.Serv. | |
| | Conf. Screen | |
| | Letters | |
| | Duties/Supp | |
| | Objections | |
| | Video Receipt | |
| | CI Report | |
| | 9202 | |
| | Order | |
| | Aff. Posting | |
| | Status Rpt | |
| | UCCJEA | |
| | Citation | |
| | FTB Notice | |
| | | Reviewed by: LEG Reviewed on: 9/5/14 Updates: Recommendation: File 18 - Bunney |

Petition for Termination of Guardianship

| | | | |
|--------------------|---------------|--|--|
| | | VICENTE MORENO , Father, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: <u>Continued from 7-30-14</u> <u>Minute Order 7-30-14:</u> Parties agree to participate in mediation today at 10:30 am. <u>As of 9-3-14, nothing further has been filed.</u> <u>Note:</u> Petitioner resides in Carson City, NV. 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the guardian and on <u>all</u> <u>relatives</u> pursuant to Probate Code §1460(b)(5). 3. Petitioner requests that the Court terminate the guardianship and award him sole legal and physical custody of the minor. Please note that this Probate Guardianship Court cannot award custody to either parent. If the guardianship is terminated, Petitioner must seek custody orders in the appropriate Family Court. |
| | | ROSEMARY MORENO , Paternal Grandmother, was appointed Guardian on 11-13-13. | |
| Cont'd from 073014 | | Mother: MARGIE MORALES | |
| | | Paternal grandfather: Deceased | |
| | | Maternal grandparents: Not listed | |
| | | Sibling: Victoria Fry | |
| | Aff.Sub.Wit. | | |
| ✓ | Verified | | |
| | Inventory | | |
| | PTC | | |
| | Not.Cred. | | |
| | Notice of Hrg | X | |
| | Aff.Mail | X | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| ✓ | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |

Petitioner states that when guardianship was established, he was living with his mother (Guardian Rosemary Moreno) and only working part time. He was struggling financially. With the help of his mother, he was able to provide a home for Aaron. Petitioner has never been involved with drugs or other vices, the only thing that held him back from being a father was his financial situation. It has been over six months since then and Petitioner has now been able to find good employment and a suitable apartment (in Carson City, NV) where Aaron can live comfortably. Petitioner now has the ability, time, and means to put him in school and help him grow. Petitioner states his mother is hesitant to release him because she has become attached to Aaron. Petitioner understands, but states it is time for him to be a father and take responsibility. Petitioner states the mother has never been a part of Aaron's life. Since moving to Carson City, NV, Petitioner has done nothing but send packages for his son. He continues to participate in his life and school. See attached declaration of Aaron's teacher. Petitioner states in the past six months he has tried to visit at least twice, but his mother always has an excuse for him not to visit. Petitioner requests the Court terminate the guardianship and grant sole legal and physical custody so that Aaron can live with Petitioner.

Guardian Rosemary Moreno filed an Objection on 7-22-14. See Page 2

Court Investigator Samantha Henson filed a report on 7-24-14.

Page 2

Guardian's Objection states the petitioner shows a total disregard for Aaron's care and safety, developmental progress, education, and financial needs since birth. Consequently, he left Aaron in Guardian's care in the summer of 2013. He would leave Aaron home alone at the age of six. Aaron is inappropriately fascinated with violent video games that Petitioner exposed him to at a young age. Petitioner was pulled over on more than one occasion for failing to secure Aaron in a child seat, and also had his vehicle impounded for transporting Aaron with a suspended license.

Ms. Moreno states Aaron has a learning disability, and struggled to meet many educational and developmental milestones while under Petitioner's primary care. He was not able to dress himself before age seven, and did not understand the concept of time until age eight. He has now been diagnosed with ADHD and is receiving education accommodations and special education assistance as described in his new IEP (attached) as well as medication that helps him focus.

Ms. Moreno states he has been receiving private tutoring in reading and his skills have now improved to match his 2nd grade level. He is attending a recreational summer camp for the remaining four weeks of summer before 3rd grade, and is scheduled to return to his tutoring in the fall. He is also scheduled to participate in a Speech Pathology program at CSU designed to provide support for his stuttering disorder.

Aaron's special education needs and medical diagnosis require extensive financial resources to provide appropriate care, which she has provided since his birth. Ms. Moreno states she is the only stability that Aaron has experienced in his eight years of life and terminating the guardianship would seriously jeopardize Aaron's safety, developmental, and educational progress.

Court Investigator Samantha Henson filed a report on 7-24-14.

Petition to Determine Succession to Real Property (Prob. C. 13151)

| | | | |
|---------------------------|----------------------|--|---|
| DOD: 6-8-13 | | JASON B. LEE , Son, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| | | 40 days since DOD | |
| Cont'd from 080614 | | No other proceedings | <u>Continued from 8-6-14. As of 9-3-14, nothing further has been filed.</u> |
| | | | |
| | Aff.Sub.Wit. | I&A: \$65,000.00 (real property located at 4541 E. McKenzie in Fresno) | 1. The petition is missing Attachment 11 containing: 1) the legal description and APN of the real property 2) decedent's interest in the real property |
| ✓ | Verified | | |
| ✓ | Inventory | Decedent died intestate | 2. Need revised proposed order containing the legal description of the property and the interest passing to Petitioner at #9. |
| | PTC | | |
| | Not.Cred. | Petitioner requests Court confirmation that Decedent's real property passes to him pursuant to intestate succession. | |
| N/A | Notice of Hrg | | |
| | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| | Pers.Serv. | | |
| | Conf. Screen | | |
| | Letters | | |
| | Duties/Supp | | |
| | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| ✓ | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: skc |
| | | | Reviewed on: 9-3-14 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 22 – Burnda |

| | | | |
|------------------|---------------|--|---|
| | | TEMP GRANTED EX PARTE EXPIRES 9-4-14, extended to 9-10-14 | NEEDS/PROBLEMS/COMMENTS: <u>Continued from 9-4-14 due to objection by mother.</u> |
| | | GENERAL HEARING 10-22-14 | |
| Cont from 090414 | | DIANNA LEACH, Maternal Great-Grandmother, is Petitioner. | 1. Need proof of service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice or declaration of due diligence on: - Brian (Woody) Kirk (Father) (Note: Mr. Kirk was present at the hearing on 9-4-14; however, he has not been formally served.) |
| | Aff.Sub.Wit. | Father: BRIAN (WOODY) KIRK - Present at hearing on 9-4-14 | |
| ✓ | Verified | Mother: RACHEL R. KIRK - Personally served 8-26-14 - Objection filed 8-29-14 - Present at hearing on 9-4-14 | |
| | Inventory | Paternal Grandfather: Unknown Paternal Grandmother: Unknown Maternal Grandfather: Ronald Connell Maternal Grandmother: Stephanie Connell | |
| | PTC | Petitioner states the mother is being evicted. She has been using methamphetamine and uses the children to panhandle to support her drug habit. She is not feeding them properly, they get snacks but not meals. On two occasions in the past four months the police have shown up on Petitioner's door with Izan because she let him wander off and he ended up multiple blocks away at the ponding basin. When she got them two years ago it was because they were homeless. The boys do not deserve to live on the streets with her. Petitioner fears they are in grave danger. | |
| | Not.Cred. | Rachel R. Kirk (Mother) filed an objection on 8-29-14. See page 2. | |
| ✓ | Notice of Hrg | | |
| | Aff.Mail | | |
| | Aff.Pub. | | |
| | Sp.Ntc. | | |
| ✓ | Pers.Serv. | W | |
| ✓ | Conf. Screen | | |
| | Letters | | |
| ✓ | Duties/Supp | | |
| ✓ | Objections | | |
| | Video Receipt | | |
| | CI Report | | |
| | 9202 | | |
| | Order | | |
| | Aff. Posting | | |
| | Status Rpt | | |
| ✓ | UCCJEA | | |
| | Citation | | |
| | FTB Notice | | |
| | | | Reviewed by: skc Reviewed on: 9-4-14 Updates: Recommendation: File 22 – Kirk & Kirk |

Page 2

Mother's objection states Petitioner has continuously lied to the system to gain rights to see her children. There is a continued court date on 9-5-14 for the eviction, not a sheriff lock out. Ms. Kirk states she has already signed a lease on a new apartment and her children are in no danger of being homeless. Ms. Kirk receives county assistance to help her support her children. Her children eat full meals and she makes sure plenty of food is available at all times. She has no fraud or elder abuse charges whatsoever. She has never been under the influence of methamphetamine or arrested for drugs. Ms. Kirk states she is in a methadone treatment program for prescription painkillers that she was prescribed.

Ms. Kirk states she moved to Fresno County in July 2013 to go to college and graduated with honors in May 2014 and is actively seeking employment. Petitioner is a con artist and a criminal. The County denied payment of child care to her because of her criminal background. Ms. Kirk wants her children returned to her so that she can move away from Petitioner and her family and move on with their lives.